

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

CJA COST CONTAINMENT ORDER #1:
CJA VOUCHERS IN EXCESS COMPENSATION
CASES

ADM-1
ORDER 12-02

ORDER

In furtherance of the directives from the Judicial Council of the First Circuit pertaining to CJA cost and expenditure containment, but in lieu of mandating case budgeting as contemplated by the CJA Guidelines, § 230.26, the district adopts the following procedure in order to facilitate the prudent administration of CJA funds and to relieve court-appointed attorneys of the financial hardships resulting from representation in cases of extended duration or complexity:

(1) Absent leave of court, counsel shall conventionally file a CJA 20 voucher when the total unpaid attorney compensation (i.e. the amount inserted on CJA 20, sections 15 & 16 combined) exceeds the statutory maximum as provided in 18 U.S.C. § 3006A(d)(2), which currently is \$9,700. The voucher must be accompanied by the following:

(a) an ex parte motion that explains (i) why the case is "extended" or "complex" (see § 230.23.40(b)), (ii) why the excess payment is necessary to provide fair compensation (see § 230.23.40(c)), and (iii) to the extent CJA counsel is seeking compensation for a partner or associate, the tasks, number of hours, hourly rate, and total expenditure for each partner or associate. See also LR 44.1(c); and

(b) a proposed budget that outlines the anticipated future attorney compensation that will be incurred until the resolution of the case.

(2) Thereafter, counsel shall conventionally file a CJA 20 voucher when the accumulated (and not previously paid) attorney compensation exceeds \$5,000. The voucher shall be accompanied by an ex parte motion and proposed budget as set out in section (1) above. The ex parte motion shall also contain the following:

(a) a summary of the amounts paid on previously submitted vouchers; and

(b) an explanation of whether the compensation sought exceeds previously submitted budget estimates and, if so, the reasons for exceeding the estimates.

(3) Payment on vouchers submitted pursuant to this order will not be subject to the 20% withholding requirements for interim vouchers.

(4) This procedure shall apply to all cases filed on or after August 1, 2012.

SO ORDERED.

/s/ Joseph N. Laplante
Joseph N. Laplante
Chief Judge
District of New Hampshire

June 15, 2012
Date

Approved by the Designee of the Chief Judge,
United States Court of Appeals for the First Circuit

/s/ O. Rogerie Thompson
Honorable O. Rogerie Thompson

July 20, 2012
Date